



MALLARD HEIGHTS APARTMENTS

TENANT SELECTION CRITERIA

Thank you for considering **MALLARD HEIGHTS APARTMENTS** as your next residence. **MALLARD HEIGHTS APARTMENTS** is a multifamily housing property that provides affordable units to households earning **60%** below the area median income in Union County. This property is designated as an elderly property, meaning qualified households must include a tenant, co-tenant or spouse who is age 62 years or older and/or disabled of any age.

This property is funded by the HOME Investment Partnerships program. Eligible households must qualify under the restrictive income limits and regulations set out by this program.

For rental inquiries or other information, please contact us using the information below.

Phone: (541) 437-0452

Fax: (541) 437-0453

Website: www.viridianmgt.com

Property Email: mh@viridianmgt.com

Location: 870 N 15th Avenue
Elgin, OR 97827

OCCUPANCY STANDARDS

Size	Minimum No. of Occupants	Maximum No. of Occupants
1 bdr	1	3
2 bdr	2	5

RENT

The following information is subject to change prior to execution of rental agreement. Rents are subject to change annually. Please speak to the site manager for current rental rates. The following are minimum and maximum amounts. The actual rental amount charged will depend on unit size and other program qualifications.

Rents range from \$697 to \$870.

SECURITY DEPOSIT

The following information is subject to change prior to execution of rental agreement. Security Deposits are subject to change annually. Please speak to the site manager for current Security Deposit rates. The following are minimum and maximum amounts. The actual Security Deposit amount charged will depend on unit size.

Security Deposits range from \$697 to \$870.



WAITING LIST

The waiting list is open. Applications may be submitted in person to the leasing office or via mail, email, or fax. In addition, interested parties may apply online through the property listing at www.viridianmgt.com. If a disability prevents you from accessing an application or submitting it through one of the above options, please contact the leasing office so a reasonable alternative method for completing and submitting your application can be determined.

GOOD FAITH ESTIMATE

Approximate number of units currently available, or will in the foreseeable future, be available: 1 estimated unit(s) available.

Approximate number of applications previously accepted, and currently on the waiting list in consideration for those unit(s) available: 15 applications on waiting list.

SCREENING

Each adult must be screened for credit, criminal and eviction background checks when the application is selected from the waiting list for prospective tenancy. Landlord has charged a screening charge as described below. Landlord may obtain a consumer credit report and/or investigative consumer report which may include checking an applicant's credit, income, employment, rental history, and criminal background. This may include information as to their character, general reputation, personal characteristics and mode of living. You have the right to request additional disclosures provided under Section 606(b) of the Fair Credit Reporting Act and a written summary of your rights pursuant to Section 609 (c). You have the right to dispute the accuracy of the information provided to the Landlord by the screening company or the credit reporting agency as well as complete and accurate disclosure of the nature and scope of the investigation.

SCREENING REPORT PER ADULT

Screening Cost: \$22 per adult

Although we are solely responsible for our rental decision, it was based in whole, or in part, on information contained in a tenant screening report provided to us by:

RentGrow, Inc.
177 Huntington Ave, Suite 1703 #74213
Boston, MA 02155-3153
(800) 898-1351
www.rentgrow.com

1. POLICY – NONDISCRIMINATION AND ACCOMMODATIONS

Viridian Management is committed to Fair Housing Policy and Equal Housing opportunity for prospective applicants. Viridian Management may not discriminate against an applicant because of race, color, religion, sex (gender), national origin, disabled status, familial or marital status, source of income, status as victim of domestic violence, sexual orientation, gender identification, or age. Viridian does not discriminate on the basis of disabled status in the admission or access to, treatment of, or employment in, its housing, programs or activities. Viridian complies with requirements of the Fair Housing Acts, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA) and all applicable federal, state or local laws.

Under the provisions of Section 504 of the Rehabilitation Act of 1973, a person with a disability shall be provided with a reasonable accommodation to the extent necessary to provide such person with an opportunity to use, enjoy and occupy the apartment and apartment premises. A verification of disability as well as linking the accommodation to disability may be required. Under federal and state law, an individual is disabled if he/she has a physical or mental impairment that substantially limits one or more major life activities, including: walking, seeing, hearing, speaking, breathing, thinking, communicating, learning, performing manual tasks, and caring for oneself. Applicants should contact the manager for further clarification related to reasonable accommodations, or how to make a request for reasonable accommodation.

2. APPLICATION AND WAITING LIST

All persons interested in Viridian-managed housing may request an application either in person, or through a designated individual, at the local on-site or regional designated site office during posted office hours; or request an application to be mailed by calling the local phone number listed on the cover sheet of this document. Fax requests for applications may be sent to the fax number listed on the cover sheet of this document. TTY telecommunication is available by calling the national relay number 711. It is Viridian Management's policy to assist wherever possible especially in the accommodation requests by persons with disabilities; applicants may request assistance in completing the application if necessary.

An application must be completed **in full** by the applicant. Applications may be submitted in person to the leasing office or via mail, email, or fax. In addition, interested parties may apply online through the property listing at www.viridianmgt.com. If a disability prevents you from accessing an application or submitting it through one of the above options, please contact the leasing office so a reasonable alternative method for completing and submitting your application can be determined. All applicants will be contacted in writing within 14 days of receipt of the application, to inform them of the status of their application. Applicants are placed on the waiting list, in order, by date and time the completed application is received.

Applicants that submit incomplete applications will be placed on the waitlist and contacted by mail with a request to complete the application in full. If the incomplete application is not returned completed within 10 days of notification, the household will be removed from the waiting list and sent notice of the removal.

Periodically, the manager will send 10-Day Waiting List Update letters out to all applicants on the waiting list to determine continued interest. Recipients of this letter have 10 days to respond. If no response is received within 10 days, the manager will send the applicant a letter to notify them that they

have been withdrawn from the waiting list. Applicants that respond and wish to be removed from the waiting list will be removed and sent a letter informing them that they have been withdrawn from the waiting list.

When the manager contacts an applicant to determine continued interest, the applicant will be asked if there is anything on the application that needs to be changed. If the applicant indicates that the information provided has changed, the site manager will schedule an appointment for the applicant to update the application. The application may be updated at an in-person meeting, via email, mail, fax, or by phone. If a disability prevents you from submitting an updated application through one of the above options, please contact the leasing office so a reasonable alternative method for completing your application update to provide the necessary information changes can be determined.

Applicants sent a Notice of Available Unit may refuse to begin processing for eligibility for that unit one time. The household will be skipped for that unit, but remain on the waiting list by their original application date. Applicants that refuse the second offered unit will be sent a notice of withdrawal from the waiting list, unless the applicant can demonstrate a need to turn down the unit due to an extenuating circumstance outside of their control. Additionally, if the property has project-based rental assistance but not available to all units, the applicant may request to remain on the waiting list until a unit with rental assistance becomes available.

Finally, if notices mailed to the applicant are returned as undeliverable, management will attempt to contact the applicant by any provided phone number or email address to obtain updated mailing information. If these attempts to contact the applicant fail, the household will be withdrawn from the waiting list.

All applicants must be willing to sign a release form to authorize verification of all items contained in the application, inclusive of; all income, assets and allowances along with credit, personal and landlord references. All households must provide positive identifications, as required by the funding program related to this project, of all persons who will be part of the household. Preliminary eligibility will be satisfied by using information on the application; placement of an application on the waiting list does not denote final tenant selection. Applicants may request information concerning the current status of their application by writing or calling the local site office at the number listed on the first page of this document or the Central Office at 1(541) 426-3820.

Applicants who have indicated the need for and requested the features of an accessible unit designed to assist individuals with disabilities, and have verified the need for the features of this type of unit and meet the definition of disabled, will have priority for those units. In the event, no households apply who would benefit from the features of an accessible unit, it will be offered to a non-disabled and income-eligible person on the waiting list. In this circumstance the applicants, as tenants, will be asked to sign a lease addendum agreeing to transfer (at their own expense) to another unit should an appropriately sized unit become available, and if there are households needing the features of the accessible unit.

Any applicant who requests modifications or accommodations related to their disability to non-adapted units will have consideration on those requests when selected, but with no priority for selection.

3. NUMBER OF OCCUPANTS

The number of occupants residing in the unit must be in accordance with unit density standards as set forth by the Owner/Manager. In determining unit density standards, the intent of property policy is to

neither overcrowd nor underutilize space. Different properties may have different density standards depending on federal or state funding for the property, bedroom sizes, unit square footage and any local ordinances and restrictions; see page one for a table of the unit density standards. The Owner/Manager may change the unit density standard during the lease term if changes in laws, ordinances or regulations make such change necessary.

Households who become under or over-housed due to changes in household composition or changes in local, state or federal ordinances or restrictions will be asked to transfer to a more suitably sized unit within 30 days. If there are no suitably sized units existing at the property, the household will be asked to vacate the property within 30 days or at the end of their lease, whichever is longer. The unit density standard is based on the number of persons in the household and includes all full-time members of the household, persons who are away at school but live with the applicant at recesses, unborn children or children in the process of being adopted or secured by custody action, foster children and live-in attendants. Children who live in a household 50% of the year or more are also counted; however, visitors, permanently confined/institutionalized household members and individuals on active military duty are not counted in this determination for occupancy eligibility.

A disabled applicant who would need a larger unit to accommodate a disability would be given such consideration, even if disallowed by the property unit density standard. For specifically designed units (i.e. barrier free), applicants needing those features would be given priority even if occupancy would otherwise be considered underutilization.

4. ELIGIBILITY – GENERAL

Applicants who meet the income/occupancy guidelines and have come to the top of the income and/or other preference lists still must meet all other eligibility criteria before being approved to move in. Management will notify the applicant when their application is ready to be processed for residency. Applicants will receive notice that they must contact the manager within 10 days to begin processing or they will be issued a letter of withdrawal from the waiting list.

Applicants, in addition to any property program requirements, must also meet application, interview and reference criteria as defined below.

Applicants who have been rejected for occupancy will receive a letter detailing any applicable appeal rights and a description of the reasons for the rejection.

As previously stated, any application which is incomplete will not be processed if the applicant fails to respond to the incomplete application notice within 10 days of notice. An applicant who refuses to sign any release to allow the verification of all items contained in the application, including all income, assets and allowances along with credit, personal and landlord references, will be withdrawn from the waitlist and sent notice of withdrawal.

Applicants who exceed the maximum allowable income limits or unit density standards for a property, or who are found to have provided false answers on the application or at the interview, will be rejected.

Applicants who fail to come to a scheduled interview, unless there are extenuating circumstances, or who come to the interview under the influence of illegal drugs, intoxicated, or whose conduct is abusive, threatening, or disruptive will be rejected.

A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that member's use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents' will be rejected. Any household if there is reasonable cause to believe that member's behavior, from abuse or pattern of abused of alcohol, may interfere with the health, safety and right to peaceful enjoyment by other residents will be rejected.

Applicants will be rejected if it is determined that their presence or the presence of any of their household members would create an unsafe environment

Total monthly unit rent should not exceed 50% of the household's net income (income after withholdings required by law or as a condition of employment). Food stamps will be included in the household income for this calculation. This requirement is waived if a portion of the rent will be paid by a rental subsidy. Applicants should contact the property manager if further explanation is required.

Applicants who wish to be a tenant or co-tenant must possess the legal capacity to sign all documents unless an accommodation determination for the individual to allow a guardian signature, if otherwise eligible, is made.

5. ELIGIBILITY – CRIMINAL HISTORY

Upon receipt of the Rental Application and screening fee, Landlord will conduct a search of public records to determine whether applicant or any proposed resident or occupant has a "Conviction" (which means: charges pending as of the date of the application; a conviction; a guilty plea; or no contest plea), for any of the following crimes as provided in ORS 90.30.303 (3): drug related crime; person crime; sex offense; crime involving financial fraud, including identity theft and forgery; or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of residents, the landlord or the landlord's agent. Landlord will not consider a previous arrest that did not result in a Conviction or expunged records.

If applicant, or any proposed occupant, has a Conviction in their past which would disqualify them under these criminal conviction criteria, and desire to submit additional information to Landlord along with the application so Landlord can engage in an individualized assessment (described below) upon receipt of the results of the public records search and prior to a denial, applicant should do so. Otherwise, applicant may request the review process after denial as set forth below, however, see item (c) under "Supplemental Evidence Individualized Assessment Review Process" below regarding holding the unit.

A single Conviction for any of the following, subject to the results of any review process, shall be grounds for denial of the Rental Application.

- a. Felonies involving: murder, manslaughter, arson, rape, kidnapping, child or other violent/predatory sex crimes or manufacturing or distribution of a controlled substance.
- b. Felonies not listed above involving: drug-related crime; person crime; sex offense; crime involving financial fraud, including identity theft or forgery; or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment

of the premises of the residents, the landlord or the landlord's agent, where the date of disposition has occurred in the last seven (7) years.

- c. Misdemeanors involving: drug-related crimes, person crimes, sex offenses, domestic violence, violation of a restraining order, stalking, weapons, criminal impersonation, possession of burglary tools, financial fraud crimes, where the date of disposition has occurred in the last five (5) years.
- d. Misdemeanors not listed above involving: theft, criminal trespass, criminal mischief, property crimes or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of the residents, the landlord or landlord's agent, where disposition has occurred in the last three (3) years.
- e. Conviction of any crime that requires lifetime registration as a sex offender, or for which applicant is currently registered as a sex offender, will result in denial.

Supplemental Evidence Individualized Assessment Review Process

Landlord will engage in an individualized assessment of the applicants, or other proposed occupants, Convictions if applicant has satisfied all other criteria (the denial was based solely on one or more Convictions) as required by local, state and federal law, and:

- a. Applicant has submitted supporting documentation prior to the public records search; or
- b. Applicant is denied based on failure to satisfy these criminal criteria and has submitted a written request along with supporting documentation. Supporting documentation may include:
 - i. Letter from parole or probation office;
 - ii. Letter from caseworker, therapist, counselor, etc.;
 - iii. Certifications of treatments/rehab programs;
 - iv. Letter from employer, teacher, etc.
 - v. Certification of trainings completed;
 - vi. Proof of employment; and
 - vii. Statement of the applicant.

Landlord will also perform an individualized assessment if no supplemental information is received as required by any local, state or federal law. Landlord will:

- a. Consider relevant individualized evidence of mitigating factors, which may include: the facts or circumstances surrounding the criminal conduct; the age of the convicted person at the time of the conduct; time since the criminal conduct; time since release from incarceration or completion of parole; evidence that the individual has maintained a good tenant history before and/or after the conviction or conduct; and evidence of rehabilitation efforts. Landlord may request additional information and may consider whether there have been multiple Convictions as part of this process.
- b. Notify applicant of the results of Landlord's review within a reasonable time after receipt of all required information.
- c. Hold the unit for which the application as received for a reasonable time under all the circumstances to complete the review unless prior to receipt of applicant's written request (if made after denial) the unit was committed to another applicant.

6. ELIGIBILITY – CREDIT HISTORY

To determine eligibility, credit history will be reviewed; however, lack of credit history will not be cause for denial. Credit reports containing unpaid utility collections or judgements (at properties with tenant

paid utilities) or other housing-related debt will be cause for denial. Cable, cell phone, and internet debts are not considered utility or housing related expenses.

If you can provide proof of extenuating circumstances around specific debts, or can demonstrate actively working on debt resolution goals, it will be taken into consideration during the application review process.

7. ELIGIBILITY – PUBLIC RECORDS AND RENTAL REFERENCES

Third party rental history will be verified. Please provide references that can be contacted. Lack of rental history will not be cause for denial. Some applicants may have no previous, or current, rental or credit references, but can still offer personal non-related references. Public records or rental history, including but not limited to, the following may be grounds for rejection of your rental application:

- a) Eviction from a residence within the past five years. Please note that evictions, unpaid rent (including rent reflected in judgments) or referrals of debt to a collection agency that accrued on or after April 1, 2020 and before March 1, 2022 will not be considered.
- b) Rental references which indicate the applicant caused significant damage to the unit, vacated the unit owing rent, were late paying their rent on three or more occasions within one year, caused disturbances at the rental on more than one occasion, or maintained their unit in an unsanitary condition.
- c) References indicating the applicant used the rental for illegal activities or were found in non-compliance of their lease agreement on three or more occasions during the tenancy.

Applicants should be honest and disclose any information that may provide further context for an eviction, including past extenuating circumstances such as job loss and/or major medical. Successful completion of an approved second chance renters program, or proving circumstances that led to an eviction no longer exist, will be taken into consideration during the application review process.

Any rejection would be issued in a written statement to the applicant with notification of Grievance and Appeal rights, when applicable.

8. TRANSFER POLICY

Current tenants requiring a unit transfer for the following reasons will be logged on an in-house transfer waitlist and given preference for appropriate units over those on the applicant waitlist and the in-house transfer waitlist. Households with the need for a fully adapted, accessible unit, and those transferring under the protections on the Violence Against Women Act (VAWA) are given priority on the in-house waitlist. Tenants must be pre-approved to transfer, and must meet tenant selection criteria, occupancy standards and program regulation as apply to the desired unit.

- a) A unit transfer for an accessible unit for a medical reason certified by a qualified professional, if disability is not apparent;
- b) A unit transfer in accordance with the VAWA Emergency Transfer policy;
- c) A required unit transfer due to family size or changes in family composition;

- d) A unit transfer for reasonable accommodation for a medical reason certified by a qualified professional, if disability is not apparent.

Current tenants requesting a unit transfer for any other reason that unit occupancy standard, reasonable accommodation, and VAWA protections will be added to the transfer waiting list and selected in order by date of request, after those with the priorities listed above are appropriately housed. Tenants must be pre-approved to transfer, and must meet tenant selection criteria, occupancy standards and program regulation as apply to the desired unit. In some cases, the household may be required to establish program and income eligibility for the desired unit if certain funding sources exist. Consideration and approval of transfer requests will be based on the following criteria, in addition to any funding requirements:

- a) Household must have been in residency at the property for at least one year;
- b) Tenants must be in good standing. Rent and other charges must be current and rental payment history is positive;
- c) Housekeeping history is satisfactory, and tenants have a positive tenancy record without ongoing or egregious lease violations.

Upon notification of an available unit, a tenant may refuse an apartment twice. In the event that a tenant refused an apartment a third time, the individual will be removed from the in-house transfer list and the request denied for that reason.

9. RENTERS INSURANCE

Viridian Management strongly encourages that all tenants have a renter's insurance policy in effect for their lease term. If a tenant declines to obtain a renters insurance policy, the tenant agrees to hold the Landlord/Owner or any representative of the Landlord Owner harmless of any damage, theft, or loss that may occur to the tenant's personal possessions while leasing the unit. Renter's Insurance is recommended, but not required.

10. VAWA-VIOLENCE AGAINST WOMEN ACT

That an applicant is or has been a victim of domestic violence, sexual assault, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for admission.

In determining eligibility for housing in cases where the Agent, acting on behalf of the Project Owners, has become aware that the household includes a victim of domestic violence, and when screening reveals negative and potentially disqualifying information, such as poor credit history, previous damage to an apartment, or a prior arrest, inquiries will be made regarding the circumstances contributing to this negative history, to ascertain whether these past events were the consequence of domestic violence against a member of the applicant household.

Any such inquiries will make clear that members of applicant households have a right to keep any history of domestic violence against them confidential.

When inquiries reveal that the negative history was the consequence of domestic violence, sexual assault, dating violence, or stalking against a member of the applicant household, the applicant household will not be denied housing assistance on the basis of this reporting, provided that the perpetrator of domestic violence is not a member of the applicant household.

The Agent may ask for documentation establishing that the negative history was the consequence of domestic violence, sexual assault, dating violence, or stalking. The applicant shall have fourteen business days (i.e. weekends and holidays will not count in determining the deadline) to provide such documentation. The Agent may grant extensions to the fourteen-day-deadline if the applicant demonstrates good cause. The applicant can satisfy the documentation requirement in any of the following ways:

- 1) Completing a certification form verifying that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of actual or threatened abuse. Such certification shall include the name of the perpetrator, if it is known; OR
- 2) Providing documentation signed by any of the following third parties:
 - a) an employee, agent, or volunteer of a victim service provider;
 - b) an attorney;
 - c) a medical professional; or
 - d) other knowledgeable professional.

The person signing the documentation must have assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of the abuse. The person signing the documentation must attest under penalty of perjury to his or her belief that the incident or incidents in question are bona fide incidents of abuse. The victim of domestic violence, sexual assault, dating violence, or stalking must also sign the documentation; OR

- 3) Producing a Federal, State, tribal, territorial, or local police or court record.

All denial of assistance letters will notify applicants of VAWA's protections and that they may seek an informal review if they believe that the denial of assistance was related to acts of domestic violence, sexual assault, dating violence, or stalking committed against the applicant.

If because of safety concerns a victim of domestic violence, sexual assault, dating violence, or stalking is unwilling or unable to provide information or identification ordinarily required to confirm eligibility, efforts will be made to otherwise establish eligibility and alternative sources and methods of verification will be accepted.

11. PREFERENCES

This property has one or more waiting list preferences, which means that priority placement is given to applicants who qualify for a specific preference category. Applicants that meet one or more of the preferences will receive the first opportunity to qualify for available units, and may skip over applicants on the waiting list that do not qualify for any preference. The following list preference or preferences apply to the waitlist at this property:

- a. Households Displaced by Government Action or Natural Disaster. Households or individuals that are forced to move from their home as a result of federal, state, or local government action, or if the household or individual was forced to move from their home as a result of a federally declared natural disaster such as a fire or flood.

12. NON-DISCRIMINATION

No person, applicant or resident shall be discriminated against or segregated on the basis of race, color, religion, national origin, disability, age, sex (gender), familial or marital status, source of income, status as victim of domestic violence, sexual orientation or gender identification. Applications may not be rejected, and applicants and/or residents may not be denied housing, treated differently than others, harassed, or evicted from housing based on any of these discriminatory criteria.

To report a fair housing complaint, please contact:

Fair Housing Council of Oregon
506 SW Sixth, Suite 1111
Portland, OR 97204
Information@FHCO.org
(503) 228-8197 Ext. 2
(800) 424-3247 Ext. 2 (TTY and translation available)

Alternatively, you may call HUD at 800-877-0246.

HOME INVESTMENT PARTNERSHIPS PROGRAM CRITERIA

This document is intended to be an addendum to the Tenant Selection Criteria. It explains additional selection criteria based on requirements by state and/or federal regulations due to funding used in the construction, acquisition and/or rehabilitation of the property. Applicants who do not meet HOME income limits will be rejected.

1. ADDING HOUSEHOLD MEMBERS

No additional household members may apply and be screened to be added to a household within the first six (6) months of the initial lease, except in the event of pregnancy, adoption and live-in aides qualified via the reasonable accommodation process.

2. TRANSFERS BETWEEN UNITS

No transfers are allowed between units unless the transfer is required due to a reasonable accommodation, domestic violence emergency transfer, or the over or under-utilization of the unit.

3. STUDENTS

Each household member eighteen (18) or older (or if under 18 and qualified as Head, Co-Head, or Spouse) must provide verification that they meet the student status requirements governing HOME Program eligibility. The HOME Program definition of student is: **All** students enrolled either part-time or full-time at an institution of higher education. The law does not exempt part-time students. In order to qualify under the HOME Investment Partnership Program, an individual must not be a student or must meet at least one of the following exemptions:

- 1) Be twenty-four (24) years of age or older; or
- 2) Be a veteran of the U.S. military; or

- 3) Be married; or
- 4) Have one or more dependent children; or
- 5) Be a disabled individual; or
- 6) Be under twenty-four (24) and provide documentation of independence from parents for at least one (1) year;
- 7) Or be under twenty-four (24), not independent of parents, and provide documentation that parents meet income eligibility requirements of the HOME Program for the area in which they reside.

When a household member becomes a student, the household is required to report the information to the Site Manager within fourteen (14) days of enrollment. If a household member becomes a student during tenancy and does not meet one of the exemptions above, assistance for the household will be terminated. Owner cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with all other terms of the Lease.

4. WHEN HOUSEHOLD'S INCOME EXCEEDS HOME PROGRAM INCOME LIMITS AFTER MOVE-IN

Some or all units of this property were funded in part by the HOME Investment Partnership Program. Under this program, households living in these units must continue to meet income restrictions for the specific HOME unit type. Not all properties with HOME funding will have both High and Low HOME designations and each will have either Fixed or Floating HOME units. Please check with your site manager to discuss the applicable designations to determine what processes might pertain to your household.

When an existing household exceeds the income limits of their unit's HOME designation, the HOME designation will be reassigned to an existing household, in a comparable (equal or greater sized offering the same amenities) unit, with the lowest qualified income which is not receiving another type of subsidy. The household with the lowest income will be determined by evaluating all residents' percentage of the area's AMI as per the most recently completed certification. If there are no eligible existing households to qualify under the HOME program, then the designation will be assigned to the next comparable, available unit at move-in.

In the event that a household's income exceeds the applicable limit for the unit, then one of the following actions must be taken by Management:

Floating HOME Units

Low HOME Unit, exceeds low HOME income limits but not high HOME income limits:

Unit will remain at low HOME rents until a comparable unit can be assigned the low HOME designation. At this time the over-income household's unit will be re-designated as a high HOME rent unit and the rent will be adjusted to no more than the high HOME rent.

Low HOME units, exceeds high HOME income limits:

Over-income household will pay 30 percent of the household's monthly adjusted income as rent, as soon as the lease permits and in accordance with the term of the lease. After a comparable unit is designated with the low HOME designation, the over-income tenant's unit will be re-designated a non-assisted unit and the rent will be adjusted in accordance with this shift in designation and in accordance with the lease terms, not to exceed other comparable, non-assisted rents in the property.

High HOME unit, exceeds high HOME income limits:

Over-income household will pay 30 percent of the household's monthly adjusted income as rent, as soon as the lease permits and in accordance with the term of the lease. Once a comparable non-assisted unit is designated the new high HOME rent unit, the unit with the over-income household is re-designated as a non-assisted unit and the rent will be adjusted in accordance with this shift in designation in accordance with the lease terms, not to exceed other comparable, non-assisted rents in the property.

Fixed HOME Units

Low HOME Unit, exceeds low HOME income limits but not high HOME income limits:

Over-income household will remain at low HOME unit rent until another unit can be re-designated a low HOME unit. When the next high HOME unit at the property vacates, it must be re-designated as a low HOME unit. At this time, the over-income household's unit will be re-designated as a high HOME unit and rent will be adjusted to the high HOME unit rent, in accordance with the terms of the lease.

Low and high HOME Unit, exceeds high HOME income limits:

Unit retains HOME unit designation and the over-income household will pay 30 percent of the tenant's monthly adjusted household income as rent. Rents will be adjusted in accordance with the terms of the tenant's lease.